



June 6, 2006

STATE OF MISSOURI  
DEPARTMENT OF INSURANCE

IN THE MATTER OF:

Justin R. Axtell

Applicant.

Serve at:

3033 N. Fremont Ave.  
Springfield MO 65802

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) Case No. 06A000328  
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**REFUSAL TO ISSUE INSURANCE PRODUCER LICENSE**

On June 5, 2006, Kathryn Turner, as senior counsel for the Investigations Section of the Division of Consumer Affairs, submitted a petition to the Director alleging cause for refusing to issue the insurance producer license of Justin R. Axtell ("Applicant"). After reviewing the petition, and the investigative report, the Director issues the following findings of fact, conclusions of law and summary order:

**FINDINGS OF FACT**

1. Applicant, Justin R. Axtell, is a Missouri resident with an address of 3033 N. Fremont Avenue, Springfield, Missouri 65802.
2. On May 1, 2006, the Missouri Department of Insurance received the Insurance Producer Application of Applicant.
3. Question 39-1. of the Application asks,  
  
Have you ever been convicted of, or are you currently charged with, committing a crime, whether or not adjudication was withheld?
4. Applicant checked the "Yes" answer to this question.

5. On December 4, 2002, Applicant entered a plea of guilty to two counts of attempting to obtain a controlled substance, a class D felony, in Greene County, Missouri for offenses occurring on October 29, 2001.
6. Imposition of sentence was suspended and Applicant was placed on five (5) years supervised probation.
7. On December 17, 2003, Appellant was sentenced to the custody of the Institutional Treatment Program in Greene County.
8. On September 1, 2004, the Greene County Circuit Court found Applicant had violated the terms of his probation by again attempting to obtain a controlled substance by fraud.
9. The December 4, 2002 probation was then revoked and on September 1, 2004 Applicant was sentenced to three (3) years in the custody of the Missouri Department of Corrections.
10. This order is in the public interest.

#### **CONCLUSIONS OF LAW**

11. Section 375.141.1 RSMo Cum Supp 2005 provides, in part:

The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:

(6) Having been convicted of a felony or crime involving moral turpitude.

12. Applicant has been convicted of the felonies of attempting to obtain a controlled substance and attempting to obtain a controlled substance by fraud, a ground for refusal under Section 375.141.1(6) RSMo Cum Supp 2005.
13. This order is in the public interest.


**ORDER**

IT IS THEREFORE ORDERED that the issuance of the insurance producer license of Applicant Justin R. Axtell is hereby summarily REFUSED.

SO ORDERED.

WITNESS MY HAND THIS 6<sup>th</sup> DAY OF June, 2006.

  
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W. DALE FINKE  
DIRECTOR

  
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DOUGLAS M. OMMEN  
DEPUTY DIRECTOR  
GENERAL COUNSEL